

**City of Belmont**

**PAID SICK LEAVE POLICY  
for  
(Part-time, Temporary, & Seasonal Employees)**

**I. Purpose**

This policy establishes rules and regulations for certain City employees regarding eligibility and use of paid sick leave in accordance with the California law (AB 1522) - Healthy Workplaces, Healthy Families Act of 2014.

**II. Applicability and Eligibility to Earn and Use Paid Sick Leave**

- A. All City employees who are not otherwise eligible for paid sick leave or general leave under a City Council-approved resolution or memorandum of understanding, including part-time, temporary, and seasonal employees, shall receive paid sick leave as described in this policy after 30 days of City employment within a 12-month period.
- B. An employee is not eligible to begin using any paid sick leave until the 90<sup>th</sup> day of employment with the City.

**III. Annual Grant of Paid Sick Leave**

Beginning on July 1, 2015, and on July 1st of each calendar year thereafter, the City shall grant eligible employees three (3) days or 24 hours of paid sick leave to use for permitted purposes as described in this policy. Employees who are hired after July 1, 2015 shall be allocated three (3) days or 24 hours of paid sick leave at the beginning of the 12-month period or 1<sup>st</sup> day of work.

**IV. Use of Paid Sick Leave**

- A. An eligible employee may use a maximum of 3 days or 24 hours of paid sick leave, (whichever is greater) in a 12-month period unless as otherwise provided for in Section VI. The total minimum amount of paid time that an employee may take during a 12-month period may not be less than 24 hours. [For example, if an eligible part-time employee who works six (6) hours per day and has 24 hours of paid sick leave takes three (3) paid sick days during the year, the employee has used 18 hours and still as six (6) hours of paid leave remaining in the same year.]

- B. Any unused paid sick leave remaining at the end of the 12 month period shall not be carried over to the next 12- month period.
- C. An eligible employee may use paid sick leave in a 12 –month period for one of the following reasons:
- For the employee’s own diagnosis, care, or treatment of an existing health condition or preventative care.
  - For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee’s family member including:
    - Child (Including a biological, adopted or foster child, stepchild, legal ward or a child whom the employee stands in loco parentis.)
    - Spouse or Registered Domestic Partner
    - Parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of an employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.)
    - Grandparent
    - Grandchild
    - Sibling
  - To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
    - A temporary restraining order or restraining order.
    - Other injunctive relief to help ensure the health, safety, or welfare of themselves or their children.
    - To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
    - To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.

- To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

## **V. Notification to the City of Use of Paid Sick Leave**

An employee shall provide reasonable advance notification, consistent with departmental policy of their need to use paid sick leave to their supervisor if the need for paid sick leave use is foreseeable (e.g. doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable.

## **VI. Other Terms of Paid Sick Leave**

- A. An employee who uses paid sick leave must do so with a minimum increment of one hour of sick leave per work day.
- B. Employees shall be compensated for each hour of sick leave used under this policy at the employees' same wage as the employee normally earns during regular work hours. Employees shall be compensated for using sick leave, on the payday for the next regular payroll period after the sick leave was taken.
- C. Paid sick leave will not be considered hours worked for purpose of overtime calculation.
- D. An employee will not receive compensation for unused paid sick leave upon termination, resignation, retirement or other separation from employment with the City.
- E. If at the time of separation from City employment, the rehired employee had not yet worked the requisite 90 calendar days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 calendar days of employment requirement, counting the days previously worked for the City, before the paid sick leave hours can be restored. In no case will paid sick leave hours exceed 3 days or 24 hours in a 12-month period.

If you have any questions about this guideline, please contact the Human Resources Department at (650) 595-7452.

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